

DELAWARE AGRICULTURAL LANDS
PRESERVATION FOUNDATION

AMENDED AGENDA 2-12-13

Foundation Meeting Date February 20, 2013 8:30 a.m.
Delaware Department of Agriculture, Conference Room Two
2320 S. DuPont Hwy., Dover, DE 19901
Phone: 698-4500 or 1-800-282-8685

FOUNDATION MEETING:

I. Preservation Districts

- A. Current Situation Report – Robin West
- B. Young Farmers Report – Austin Short
- C. Monitoring Report – Milton Melendez
- D. Expansion Eligibility & Final Approval:
 - 1. **Spicer Farms Expansion of the Phillips District, ID#S-12-10-015B**
 - 2. **Tibbitt Farm Expansion of the Kenneth W. Wilson-Clearbrook Farm District, ID#S-12-11-076D**
 - 3. **Newton Farm Expansion of the Townsend Tract District, ID#S-12-11-143D**
 - 4. **Southview Farm Expansion of the William G. Passwaters District, ID#S-12-09-170F**
 - 5. **Kirk Expansion of the Old Morgan School District, ID#S-12-11-016M**
 - 6. **Penuel Farm Expansion of the Phillips District, ID#S-12-10-**

015C

7. H & M Sylvester Expansion of the Sylvester District, ID#K-12-09-228D

8. Eastern Sod Farms, LLC Expansion of the Tybout Tract District, ID#N-12-09-130R

- II. Secretary of Agriculture's Veto
- III. Opportunity for Public Comments
- IV. Minutes
- V. Financial Highlights
- VI. Executive Session - Pursuant to 29 Del. C. §10004 (b) (2), (4) and (6) the Board will go into executive session for the purpose of receiving legal advice and to discuss and review confidential appraisal matters. The Board will not vote on any matter in executive session.
- VII. Round 17 County Funding
- VIII. Potential Funding from Ducks Unlimited
- IX. Aglands Preservation Legislation
- X. Other Business
 - 1. Delaware Agriculture Infrastructure Fund
 - 2. Wilson Farm
- XI. Adjournment

PUBLIC NOTICE

The Delaware Agricultural Lands Preservation Foundation

The Foundation will meet on February 20, 2013, at 8:30 A.M. at the Delaware Department of Agriculture, 2320 S. DuPont Highway, Dover, Delaware. The purpose of the meeting is to review applications before the Foundation and conduct other Foundation business.

The Foundation, in addition to reviewing applications for the establishment of agricultural preservation districts, shall also review the following applications for forestland preservation areas and expansions of existing agricultural preservation districts: the H & M Sylvester Expansion of the Sylvester District (K-12-09-228D), located in Kent County, Holly Spring Rd.; the Eastern Sod Farms, LLC Expansion of the Tybout Tract District (ID#N-12-09-130R), located in New Castle County, Black Diamond Road; the Kirk Expansion of the Old Morgan School District (ID#S-12-11-016M), located in Sussex County, Sycamore Road;

the Penuel Farm Expansion of the Phillips District (ID#S-12-10-015C), located in Sussex County, Portsville Road; the Spicer Farm Expansion of the Phillips District (S-12-10-015B), located in Sussex County, Portsville Road; the Tibbitt Farm Expansion of the Kenneth W. Wilson-Clearbrook Farm District (S-12-11-076D), located in Sussex County, Bowdens Garage Road; the Newton Farm Expansion of the Townsend Tract District (S-12-11-143D), located in Sussex County, Seashore Hwy.; the Cannon Preservation Expansion of the Kenneth W. Wilson-Clearbrook Farm District (S-12-11-076E), located in Sussex County, Wilson Farm Road; and the Southview Farm Expansion of the William G. Passwaters District (S-12-09-170F), located in Sussex County, Long Branch Rd. The Foundation has authority to grant expansion requests, subject to a right of rejection of the Secretary of the Department of Agriculture and appeal of the decision to the Superior Court. The approval of an expansion to an existing agricultural preservation district confers the same rights and privileges to the expansion properties which are enjoyed by the existing agricultural preservation districts. Also,

inclusion of an expansion to a district has impacts on landowners and land uses adjacent to the expanded district as set forth in 3 Del. C. §910.

The public is invited to provide comments prior to the February 20, 2013 meeting. Information concerning the applications for expansion of the agricultural preservation districts is available upon request from the Foundation by contacting Cathy Mesick, 1-800-282-8685, or 698-4531. The applications are also available for public inspection.

The public, including adjacent landowners, are also invited to attend this meeting and provide comments regarding the applications for expansion prior to the time that the Foundation takes formal action on the applications.

Pursuant to 29 Del. C. § 10004(b) (2), (4) and (6) the Board will go into executive session for purposes of receiving legal advice and to discuss and review confidential appraisal matters. The Board will not vote on any matter in executive session.

Accommodations are available for individuals with disabilities. Persons with disabilities are encouraged to call

**Debbie Carey (302-698-4500) or toll free (1-800-282-8685) to
request an auxiliary aid or service.**